
Draft Final

Finding of Suitability to Transfer Former Hamilton Army Airfield Hospital Hill

Prepared for
U.S. Army Corps of Engineers



November 2001

CH2MHILL
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FINDING OF SUITABILITY TO TRANSFER

Former Hamilton Army Airfield

Hospital Hill

November 2001

1.0 PURPOSE

The purpose of this Finding of Suitability To Transfer (FOST) is to document the environmental suitability of certain property (the "Property"), Hospital Hill, at the former Hamilton Army Airfield (Hamilton or HAAF) for transfer to the City of Novato, California for neighborhood commercial use consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 120(h) and Department of Defense (DOD) policy. In addition, the FOST identifies use restrictions as specified in the attached Environmental Protection Provisions necessary to protect human health or the environment after such transfer.

2. PROPERTY DESCRIPTION

The Property to be transferred (Hospital Hill) consists of 3.41 acres. Eight current and former buildings/structures are associated with this Property. The buildings and structures are identified below. A site map of the Property is attached (Enclosure 1).

List of Past and Present Structures at Hospital Hill

Building/ Structure	Year Built	Area (SF)	Historical Use/Status
510	1941	2,200	Medical and dental clinic. Historical documents show two dates of construction: 1941 and 1957. Aerial photographs confirm construction date of 1941. Demolished in April 1997.
511	1941	5,200	Dental clinic, pharmacy, and medical lab. Demolished in June 1997.
512	1941	4,802	Hospital ward and later an administrative/classroom building. Condemned 1997. Restricted access.
515	1934	26,139	Base Hospital. Building vacant. Access restricted.
516	Circa 1951	unknown	Storage building of office-related refuse for Building 515. Also used as garbage can wash rack and a solid waste collection annex. Building vacant.
520	1941	3,635	Medical command and administration facility. Building vacant, access restricted.
521	1942	2,137	Dental prosthetic laboratory. May have also been a clinic or medical ward. Demolished in April 1997.
525	1941	1,387	Flight surgeon's office. Hospital general storage building (linen supply building). Condemned in February 1997. Building is vacant.

3. ENVIRONMENTAL CONDITION OF THE PROPERTY

A determination of the environmental condition of the facilities has been made based on the following documents: (1) Final Community Environmental Response Facilitation Act (CERFA) Report, prepared for the Hamilton Army Airfield by Tetra Tech, dated April 1994;

(2) Environmental Baseline Survey (EBS) for Hospital Hill and POL Hill prepared by CH2M HILL dated November 2001; (3) the Baseline Human Health Risk Assessment, prepared by Engineering Science, Inc dated July 1993; (4) the Environmental Assessment for the Closure and Realignment of Hamilton Army Airfield, dated September 1991; (5) the Environmental Impact Statement for Hamilton Army Airfield disposal and reuse, dated January 1995; and (6) the Environmental Assessment, Remedial Work on BRAC Property, dated March 1995. The information provided is a result of a complete search of agency files during the development of these environmental surveys.

3.1 Environmental Condition of Property Categories

The Department of Defense Environmental Condition of Property (ECP) Categories for the Property are as follows:

ECP Category 2: Hospital Hill parcel

A summary of the ECP Categories for the parcel is provided in Enclosure 2: Description of Property - Identification of Property and Environmental Condition. The DoD ECP categories are defined in Enclosure 2.

3.2 Storage, Release, or Disposal of Hazardous Substances

There is no evidence that hazardous substances were stored, released, or disposed at Hospital Hill in excess of the reportable quantities listed in 40 CFR Part 373. Accordingly, there is no need for any notification of hazardous substance storage, release, treatment, or disposal.

3.3 Petroleum and Petroleum Products

There were two 750-gallon wooden underground and no above-ground storage tanks (UST/AST) on the Property that were used for storage of petroleum products. There were releases of petroleum product that were remediated at the UST sites: A summary of the petroleum product activities is provided in Enclosure 3 – Notification of Petroleum Products Storage, Release, or Disposal.

3.4 Polychlorinated Biphenyls (PCB) Equipment

Until 1995, 16 transformers, nine at Building 510 and seven at Building 515, were present at Hospital Hill. In 1995, three transformers in Building 515 (G2, G3, and G4) were removed and replaced with new transformers also labeled as G2, G3, and G4. In 1997, Building 510 was demolished and all nine transformers were removed. Today, seven transformers remain at Building 515. During a transformer investigation conducted in 1994, capacities and PCB concentrations were determined for the transformers at Buildings 510 and 515. These results are summarized in Enclosure 4.

The 1994 Transformer Investigation also determined whether additional evaluation was required for each transformer based on the following criteria:

- a. A PCB concentration of 500 ppm, or greater, remove the transformer.
- b. A PCB concentration of 50 ppm, or greater, but less than 500 and the transformer is leaking, remove the transformer.

- c. A PCB concentration of 50 ppm, or greater, but less than 500 and the transformer is not leaking, no further action.
- d. A PCB concentration less than 50 ppm, whether the transformer is leaking or not, no further action.

Based on these criteria, and the scheduled demolition of Building 510, all transformers were removed from Building 510.

The 1994 Investigation indicated the concrete beneath transformers G2, G3, and G4 in Building 515 was stained, showing evidence of past leakage. Based on the above criteria, transformers G2, G3, and G4 were removed. The four remaining transformers required no further action according to criteria "d." Three transformers (G2, G3, and G4) in Building 515 were replaced because this building was still required for use, and it was policy to replace transformers that were showing signs of leakage. The deed will include the PCB notification provision contained in the Environmental Protection Provisions (Enclosure 6).

3.5 Asbestos

Based on the Occusafe 1989 Asbestos Survey for Hamilton Army Airfield and the 1991 Investigation of Asbestos and Polychlorinated Biphenyls report by Harding Lawson and Associates, asbestos-containing material was found in the following Hospital Hill buildings: 510, 511, 512, 515, 520, 521, and 525. Suspect ACM identified by the report included floor tiles, insulation, wallboard, cement siding, and pipe fittings. The condition of ACM ranged from non-friable to moderately friable. Building 516 was not surveyed; however, there was no visual evidence of asbestos-containing materials in this building. The asbestos materials were removed from buildings 510, 511, and 521 as part of the building demolition process. The ACM from demolished buildings does not currently pose a threat to human health or the environment because all friable asbestos that posed an unacceptable risk to human health was removed prior to demolition. Non-friable to moderately friable ACM may be present in buildings 512, 515, 520 and 525. There are no known releases of asbestos to the environment. The deed/easement will include the asbestos warning and covenant included in the Environmental Protection Provisions (Enclosure 5 and Enclosure 6).

3.6 Lead-Based Paint

Based on the age of the buildings (constructed prior to 1978), the following Hospital Hill buildings are presumed to contain lead-based paint: 512, 515, 516, 520, and 525. The deed/easement will include the lead-based paint warning and covenant provided in the Environmental Protection Provisions (Enclosure 6).

3.7 Radiological Materials

Records indicate that radioactive commodities were used in Building 515 (basement of the Nuclear Biological and Chemical (NBC) Room and in a safe on the first floor). The commodities were identified as Chemical Agent Alarm Detectors, which contain an americium-241 source, tritium compasses and tritium watches. A survey was conducted on Building 515 to verify whether or not any residual radioactivity remained after cessation of activities (i.e., the use and storage of radioactive materials) at HAAF, and if so, whether that residual is in compliance with the Nuclear Regulatory Commission and the State of California regulations and guidelines for decontamination of facilities prior to release for unrestricted use. A review of the survey results indicated that there were no radiological

health hazards identified as a result of the use and storage of radioactive commodities in Building 515. It was recommended that Building 515 of Hamilton Army Airfield be released for unrestricted use (U.S. Army Center for Health Promotion and Preventive Medicine, 12 July – 31 August 1995).

3.8 Radon

A radon survey has not been conducted on Hamilton Army Airfield BRAC property. Interviews with HAAF personnel, a review of applicable environmental documents, and adjacent property radon survey results indicate that radon is not a concern at HAAF. Test data and survey results for the adjacent Navy property (housing) indicated radon below USEPA recommended action levels of 4 picocuries per liter (pCi/L). Information provided by U.S. Geologic Survey representatives indicate that radon is not found in the region due to the geology of the area. Therefore, radon is not considered to be an environmental concern at HAAF.

3.9 Unexploded Ordnance

Based on a review of existing records and available information, none of the buildings or surrounding land proposed for transfer are known to contain unexploded ordnance.

3.10 Other Hazardous Conditions

There are no other hazardous conditions that require remediation or a response action for the Property to be suitable for transfer for the intended use.

3.11 Adjacent Hazardous Conditions

Hospital Hill sits on top of a natural topographic rise. There are no known adjacent hazardous conditions.

4. REMEDIATION

The following environmental orders/agreements are applicable to the property: the Letter from Lawrence Kolb (Regional Water Quality Control Board) re: Transmittal of the Closure Letter and Site Summaries of Department of Defense Underground Storage Tanks at Hamilton Army Airfield, dated August 18, 2000. There were no CERCLA issues at Hospital Hill, and the petroleum issues at Hospital Hill that required remediation have been appropriately addressed.

5. REGULATORY/PUBLIC COORDINATION

USEPA Region 9, California Department of Toxic Substances Control (DTSC), and the public were notified of the initiation of the FOST. Regulatory/public comments received during the FOST development will be reviewed and incorporated as appropriate in the Final FOST. A copy of the comments is provided (Enclosure 7).

6. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE AND CONSISTENCY WITH LOCAL REUSE PLAN

The environmental impacts associated with the proposed transfer of the Property have been analyzed in accordance with the National Environmental Policy Act (NEPA). The

results of this analysis have been documented in the Environmental Assessment for the Closure and Realignment of Hamilton Army Airfield (HAAF), CA, dated September 1991, and in the Environmental Assessment, Remedial Work on BRAC Property, dated March 1995. Any encumbrances or conditions identified in such analysis as necessary to protect human health or the environment have been incorporated into the FOST. In addition, the proposed transfer is consistent with the intended reuse of the parcel, which is for commercial use.

7. ENVIRONMENTAL PROTECTION PROVISIONS

On the basis of the above results from the Hospital Hill/POL Hill EBS and other environmental studies and in consideration of the intended use of the Property, certain terms and conditions are required for the proposed transfer. These terms and conditions are set forth in the attached Environmental Protection Provisions (Enclosure 6) and will be included in the deed.

California Civil Code Section 1471 allows grantees of real property to place covenants that will "run with the land" (i.e., that will apply to all subsequent property owners) on property being transferred. These covenants can place environmental restrictions on the property to be transferred if the covenant is "reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous materials."

8. FINDINGS OF SUITABILITY TO TRANSFER

Based on the above information, I conclude that all Department of Defense requirements to reach a FINDING OF SUITABILITY TO TRANSFER the property have been met, subject to the terms and conditions set forth in the attached Environmental Protection Provisions (Enclosure 6). All removal or remedial actions necessary to protect human health and the environment have been taken and the property is transferable under CERCLA section 120(h)(3). In addition to the Environmental Protection Provisions, the deed for this transaction will also contain:

- The covenant under CERCLA §120(h)(3)(A)(ii)(I) warranting that all remedial action under CERCLA necessary to protect human health and the environment with respect to hazardous substances remaining on the Property has been taken before the date of transfer.
- The covenant under CERCLA §120(h)(3)(A)(ii)(II) warranting that any remedial action under CERCLA found to be necessary after the date of transfer with respect to such hazardous substances remaining on the property shall be conducted by the United States.
- The clause as required by CERCLA §120(h)(3)(A)(iii) granting the United States access to the property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

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As required under the CERCLA Section 120(h) and DOD FOST Guidance, notification of hazardous substance activities and petroleum product activities shall be provided in the deed. See Enclosure 3 — Notice of Petroleum Storage, Release or Disposal (Enclosure 3).

UNITED STATES OF AMERICA

By: _____

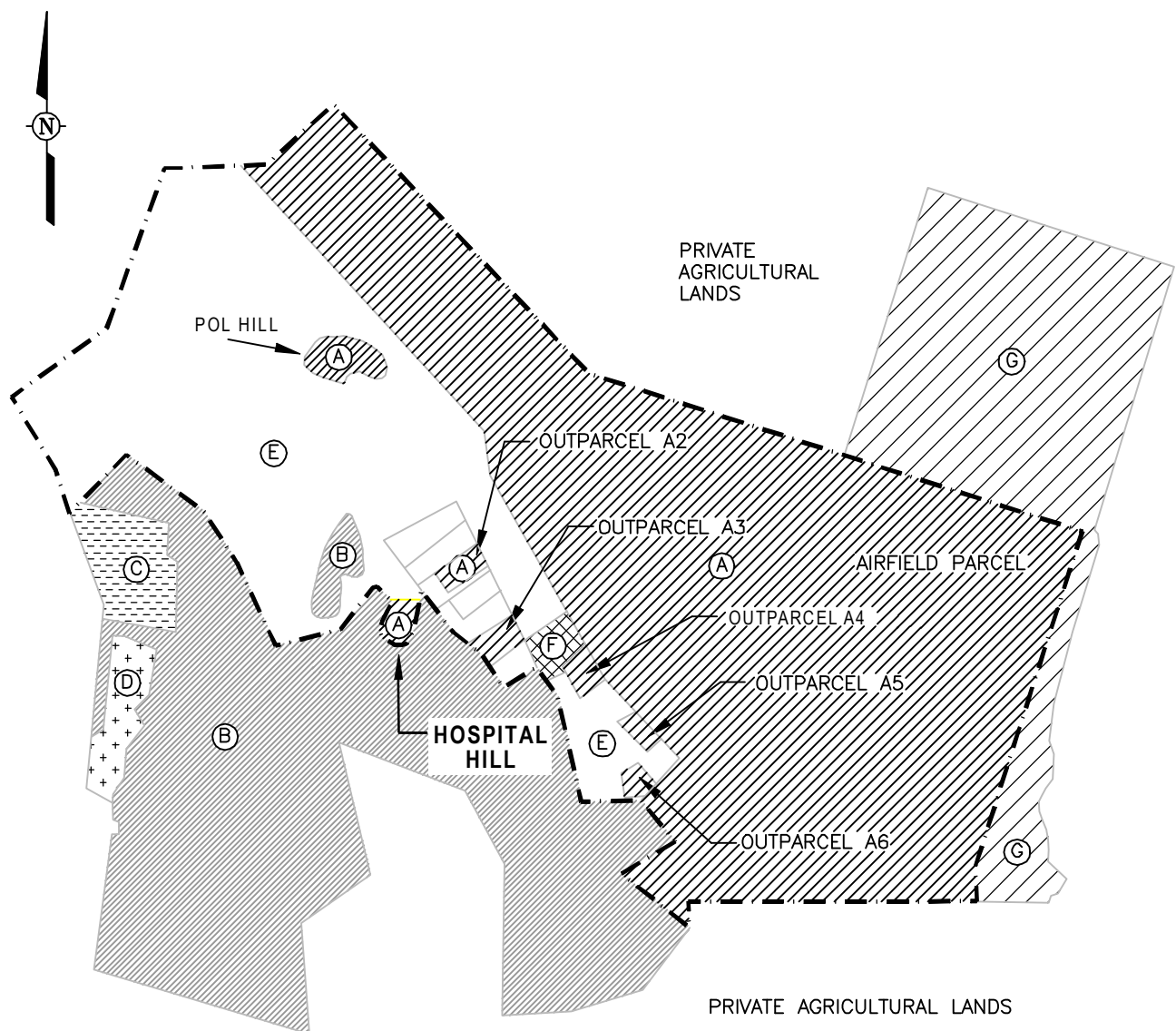
James E. Donald
Major General, U.S. Army
Deputy Chief of Staff for Personnel
and Installation Management

7 Enclosures

- Encl 1 Figures : Figure 1 – Site Map of Hospital Hill
- Encl 2 Description of Property (Table 1, Identification of Property and Environmental Condition)
- Encl 3 Table 2, Notice of Hazardous Substance Storage, Release, or Disposal; Table 3, Notice of Petroleum Product Storage, Release, or Disposal
- Encl 4 Table 4, PCB Removal and Cleanup Activities
- Encl 5 Table 5, ACM Removal and Cleanup Activities
- Encl 6 Environmental Protection Provisions
- Encl 7 Regulatory/Public Comments and Installation Position on Unresolved Comments

ENCLOSURE 1

Figure 1-1, Location Map Hospital Hill



LEGEND:

--- ARMY-OWNED PROPERTY BOUNDARY

- (A) BRAC PROPERTY
- (B) NAVY HOUSING
- (C) LANHAM HOUSING
- (D) NOVATO SCHOOL DISTRICT
- (E) GSA SALE PARCEL
- (F) US COAST GUARD
- (G) STATE OF CALIFORNIA

APPROXIMATE SCALE
0 1000 2000 FEET

REFERENCE:
WOODWARD-CLYDE FEDERAL SERVICES DRAWING SK9469.
IT CORPORATION FIGURE 1-2 BRAC PROPERTY LOCATION MAP (DWG NO. 762538-A315)

Figure 1-1
Location Map Hospital Hill
Hamilton Army Airfield

ENCLOSURE 2 DESCRIPTION OF PROPERTY

Identification of Property and Environmental Condition

Facility Identification and Description of Relevant Activities	Environmental Condition of Property Category	Environmental Condition of Property and Former, Ongoing, or Planned Remedial Actions
Hospital Hill	Category 2	Soil contamination –soil contaminated with TPH was identified during UST removals. All contaminated soil has been removed. RWQCB has issued a closure letter. Groundwater (GW) contamination – None.

Environmental Condition of Property Categories:

Category 1: Areas where no release or disposal of hazardous substances or petroleum products has occurred. (including no migration of these substances from adjacent areas)

Category 2: Areas where only release or disposal of petroleum products has occurred.

Category 3: Areas where release, disposal, and/or migration of hazardous substances has occurred, but at concentrations that do not require a removal or remedial response.

Category 4: Areas where release, disposal, and/or migration of hazardous substances has occurred, and all removal or remedial actions to protect human health and the environment have been taken.

Category 5: Areas where release, disposal, and/or migration of hazardous substances has occurred, and removal or remedial actions are underway, but all required remedial actions have not yet been taken.

Category 6: Areas where release, disposal, and/or migration of hazardous substances has occurred, but required actions have not yet been implemented.

Category 7: Areas that are not evaluated or require additional evaluation.

Notice of Petroleum Product Storage, Release, Or Disposal

Building Number	Name of Petroleum Product(s)	Date of Storage, Release, or Disposal	Remedial Actions
Hospital Hill			
Building 510 UST	Diesel fuel	750-gallon underground storage tank operated between 1957 and 1997. Total Petroleum Hydrocarbon contamination was discovered in soil beneath the tank. Additional studies indicated groundwater had not been adversely impacted.	In April 1997, the UST and contaminated soil were removed in coordination with state regulators. All removal or remedial actions to protect human health and the environment have been taken at this site.
Building 521 UST	Diesel fuel	750-gallon underground storage tank operated between 1942 and 1997. Total Petroleum Hydrocarbon contamination was discovered in soil beneath the tank. Additional studies indicated groundwater had not been adversely impacted.	In January 1997, the UST and contaminated soil were removed in coordination with state regulators. All removal or remedial actions to protect human health and the environment have been taken at this site.

ENCLOSURE 4

PCB Removal and Cleanup Activities

ID Number	Estimated Volume (gallons)	PCB Concentration (ppm)	Removed
Building 510			
E2	14	<2	September 22, 1995
E3	14	<2	September 22, 1995
E4	14	<2	September 22, 1995
E5	35	<2	September 23, 1995
E6	35	<2	1997, building demolition date
E7	35	<2	1997, building demolition date
E8	16	<2	1997, building demolition date
E9	16	<2	1997, building demolition date
F1	16	<2	1997, building demolition date
Building 515			
G2	13	196	September 14, 1995
G3	14	125	September 14, 1995
G4	14	589	September 14, 1995
G2 replacement	Not known	<1	Still present
G3 replacement	Not known	<1	Still present
G4 replacement	Not known	<1	Still present
G5	Not known	<2	Still present
G6	Not known	5.39	Still present
G7	Not known	5.05	Still present
G8	Not known	4	Still present

ENCLOSURE 5

ACM Removal and Cleanup Activities

Building	Built Prior to 1985	Survey Results	Building Status	Notes
Hospital Hill				
510	✓	Contained asbestos	Demolished	Asbestos removed prior to building demolition by IT Corp. (Innovative Technical Solutions, Inc., 1998). Building debris transported to non-hazardous landfill for disposal in Class II asbestos cell (ITSI, 1998).
511	✓	Contained asbestos	Demolished	Asbestos removed prior to building demolition by New Hamilton Partners.
512	✓	Contains asbestos	Present	Occusafe and HLA identified the following suspect ACM: exterior cement siding, floor tile, hot water tank insulation, fireproof wallboard, and duct tape. Occusafe reported the condition of ACM found in this building ranged from non-friable to moderately friable.
515	✓	Contains asbestos	Present	Occusafe and HLA identified the following suspect ACM: pipe and pipe fitting insulation, floor tile, baseboard, and walk-in cooler. Occusafe reported the condition of ACM found in this building ranged from non-friable to moderately friable.
516	✓	Was not surveyed	Present	No visual evidence of suspect ACM (HLA, 1991a)
520	✓	Contains asbestos	Present	Occusafe and HLA identified the following suspect ACM: exterior cement siding, pipe and pipe fitting insulation, floor tile, cement wallboard, boiler insulation, and cement exhaust flue and spackling. Occusafe reported the condition of ACM found in this building ranged from non-friable to moderately friable.
521	✓	Contained asbestos	Demolished	Asbestos removed prior to building demolition by IT Corp. (Innovative Technical Solutions, Inc., 1998). Building debris transported to non-hazardous landfill for disposal in Class II asbestos cell (ITSI, 1998).
525	✓	Contains asbestos	Present	Occusafe and HLA identified the following suspect ACM: exterior cement siding. Occusafe reported the condition of ACM found in this building ranged from non-friable to low friability.

ENCLOSURE 6 ENVIRONMENTAL PROTECTION PROVISIONS

The following conditions, restrictions, and notifications will be placed in the deed to ensure protection of human health and the environment and to preclude any interference with ongoing or completed remediation activities at Hamilton Army Airfield – Hospital Hill.

1. INCLUSION OF PROVISIONS

The Grantee to whom the property is transferred shall neither transfer the property, lease the property, nor grant any possessory interest, privilege, or license whatsoever in connection with the property without the inclusion of the environmental protection provisions contained herein, and shall require the inclusion of such environmental protection provisions in all further deeds, transfers, leases, or grant of any interest, privilege, or license.

2. CERCLA ACCESS CLAUSE

The Government, the U.S. Environmental Protection Agency (USEPA), California Department of Toxic Substances Control (DTSC), the Regional Water Quality Control Board (Water Board) and their officers, agents, employees, contractors, and subcontractors have the right, upon reasonable notice to the Grantee, to enter upon the Property in any case in which a response action or corrective action is found to be necessary, after the date of transfer of the property, or such access is necessary to carry out a response action or corrective action on adjoining property, including, without limitation, the following purposes:

- To conduct investigations and surveys, including, where necessary, drilling, soil and water sampling, testing-pitting, test soil borings and other activities
- To inspect field activities of the Government and its contractors and subcontractors
- To conduct any test or survey related to the environmental conditions at the Property or to verify any data submitted to USEPA, DTSC or the Water Board by the Government relating to such conditions
- To construct, operate, maintain or undertake any other response or remedial actions as required or necessary including, but not limited to monitoring wells, pumping wells and treatment facilities

3. NO LIABILITY FOR NON-ARMY CONTAMINATION

The Army shall not incur liability for additional response action or corrective action, found to be necessary after the date of transfer, in any case in which the person or entity to whom the property is transferred, or other non-Army entities, is identified as the party responsible for contamination of the property.

4. NOTICE OF THE PRESENCE OF LEAD-BASED PAINT (LBP) AND COVENANT AGAINST THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSE

A. The Grantee is hereby informed and does acknowledge that all buildings on the Property, which were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Every purchaser of any interest in Residential Real Property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from

lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. "Residential Real Property" means dwelling units, common areas, building exterior surfaces, and any surrounding land, including outbuildings, fences and play equipment affixed to the land, available for use by residents but not including land used for agricultural, commercial, industrial, or other non-residential purposes, and not including paint on the pavement of parking lots, garages, or roadways and buildings visited regularly by the same child, 6 years of age or under, on at least two different days within any week, including day-care centers, preschools and kindergarten classrooms.

B. Available information concerning known lead-based paint and/or lead-based paint hazards, the location of lead-based paint and/or lead-based paint hazards, and the condition of painted surfaces, contained in the Environmental Baseline Survey, have been provided to the Grantee. All purchasers must receive the federally-approved pamphlet on lead poisoning prevention. The Grantee hereby acknowledges receipt of all of the information described in this subparagraph.

C. The Grantee acknowledges that it has received the opportunity to conduct its own risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards prior to execution of this document.

D. The Grantee covenants and agrees that it shall not permit the occupancy or use of any buildings or structures on the Property as Residential Real Property, as defined in paragraph A, above, without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of the Property where its use subsequent to sale is intended for residential habitation, the Grantee specifically agrees to perform, at its sole expense, the Army's abatement requirements under Title X of the Housing and Community Development Act of 1992 (Residential Lead-Based Paint Hazard Reduction Act of 1992) (hereinafter Title X).

The Grantee, after consideration of the guidelines and regulations established pursuant to Title X, shall: (1) perform a reevaluation of the Risk Assessment if more than 12 months have elapsed since the date of the last Risk Assessment; (2) comply with the joint HUD and USEPA Disclosure Rule (24 CFR 35, Subpart H, 40 CFR 745, Subpart F), when applicable, by disclosing to prospective purchasers the known presence of lead-based paint and/or lead-based paint hazards as determined by previous risk assessments; (3) abate lead dust and lead-based paint hazards in pre-1960 residential real property, as defined in paragraph A, above, in accordance with the procedures in 24 CFR 35; (4) abate soil-lead hazards in pre-1978 residential real property, as defined in paragraph A, above, in accordance with the procedures in 24 CFR 35; (5) abate lead-soil hazards following demolition and redevelopment of structures in areas that will be developed as residential real property; (6) comply with the USEPA lead-based paint work standards when conducting lead-based paint activities (40 CFR 745, Subpart L); (7) perform the activities described in this paragraph within 12 months of the date of the lead-based paint risk assessment and prior to occupancy or use of the residential real property; and (8) send a copy of the clearance documentation to the Grantor.

In complying with these requirements, the Grantee covenants and agrees to be responsible for any abatement or remediation of lead-based paint or lead-based paint hazards

on the Property found to be necessary as a result of the subsequent use of the property for residential purposes. The Grantee covenants and agrees to comply with solid or hazardous waste laws that may apply to any waste that may be generated during the course of lead-based paint abatement activities.

E. The Grantee further agrees to indemnify and hold harmless the Army, its officers, agents and employees, from and against all suits, claims, demands, or actions, liabilities, judgments, costs and attorney's fees arising out of, or in a manner predicated upon personal injury, death or property damage resulting from, related to, caused by or arising out of lead-based paint or lead-based paint hazards on the Property if used for residential purposes.

F. The covenants, restrictions, and requirements of this Section shall be binding upon the Grantee, its successors and assigns and all future owners and shall be deemed to run with the land. The Grantee on behalf of itself, its successors and assigns covenants that it will include and make legally binding, this Section, in all subsequent transfers, leases, or conveyance documents."

5. NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

A. The Grantee is hereby informed and does acknowledge that non-friable and friable asbestos or ACM have been found on the Property, as described in the EBS. Except as provided for in **(B)** below, the ACM on the Property does not currently pose a threat to human health or the environment. Except as provided in **(B)** below, all friable asbestos that posed a risk to human health has either been removed or encapsulated.

B. Several buildings have been determined to contain friable and non-friable asbestos that may pose a threat to human health as summarized in Table 5. Detailed information is contained in the Environmental Baseline Survey and referenced asbestos surveys (see Enclosure 5). The Grantor has agreed to transfer said buildings and structures to the Grantee, prior to remediation of asbestos hazards, in reliance upon the Grantee's express representation and promise that the Grantee will, prior to use or occupancy of said buildings, demolish said buildings or the portions thereof containing friable asbestos and dispose of ACM in accordance with applicable laws and regulations. With respect to the friable asbestos in said buildings and structures, the Grantee specifically agrees to undertake any and all abatement or remediation that may be required under CERCLA Section 120h(3) or any other applicable law or regulation. The Grantee acknowledges that the consideration for the conveyance of the Property was negotiated based upon the Grantee's agreement to the provisions contained in this Subsection.

C. The Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos; and that the Grantor assumes no liability for any future remediation of asbestos or damages for personal injury, illness, disability, or death, to the Grantee, its successors or assigns, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos or ACM on the Property, whether the Grantee, its successors or assigns have properly warned or failed to properly warn the individual(s) injured. The Grantee agrees to be responsible for any future remediation of asbestos found to be necessary on the Property. The Grantee assumes no liability for damages for personal injury, illness, disability, death or Property damage arising from (i) any exposure or failure to comply with any legal requirements applicable to asbestos on any portion of the Property arising prior to the Grantor's conveyance of such portion of the Property to the Grantee pursuant to this deed, or (ii) any disposal of any asbestos or ACM prior to the Grantor's conveyance of the Property.

D. Unprotected or unregulated exposures to asbestos in product manufacturing, shipyard, building construction workplaces have been associated with asbestos-related diseases. Both Occupational Safety and Health Administration (OSHA) and the USEPA regulate asbestos because of the potential hazards associated with exposure to airborne asbestos fibers. Both OSHA and USEPA have determined that such exposure increases the risk of asbestos-related diseases, which include certain cancers and which can result in disability or death.

E. The Grantee acknowledges that it has inspected the Property as to its asbestos content and condition and any hazardous or environmental conditions relating thereto prior to accepting the responsibilities imposed upon the Grantee under this section. The failure of the Grantee to inspect, or to be fully informed as to the asbestos condition of all or any portion of the Property offered, will not constitute grounds for any claim or demand against the United States, or any adjustment under this deed.

F. The Grantee further agrees to indemnify and hold harmless the Army, its officers, agents and employees, from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorneys' fees arising out of, or in any manner predicated upon, exposure to asbestos on any portion of the Property after this conveyance of the property, to the Grantee or any future remediation or abatement of asbestos or the need therefor. The Grantee's obligation hereunder shall apply whenever the United States incurs costs or liabilities for actions giving rise to liability under this section.

6. PCB NOTIFICATION AND COVENANT

A. The Grantee is hereby informed and does acknowledge that equipment containing polychlorinated biphenyls (PCBs) exists on the Property to be conveyed, described as transformers located in Building 515 at Hospital Hill. All PCB containing equipment has been properly labeled in accordance with applicable laws and regulations in force at the time of purchase and installation to provide notification to future users. Any PCB contamination or spills related to such equipment has been properly remediated prior to conveyance (i.e., transformer pads were cleaned but did not require disposal) and no surface remediation/excavation was necessary. The PCB equipment does not currently pose a threat to human health or the environment.

B. Upon request, the Army agrees to furnish to the Grantee any and all records in its possession related to such PCB equipment necessary for the continued compliance by the Grantee with applicable laws and regulations related to the use and storage of PCBs or PCB containing equipment.

C. The Grantee covenants and agrees that its continued possession, use and management of any PCB-containing equipment will be in compliance with all applicable laws relating to PCBs and PCB-containing equipment, and that the Army assumes no liability for the future remediation of PCB contamination or damages for personal injury, illness, disability, or death to the Grantee, its successors or assigns, or to any other person, including members of the general public arising from or incident to future use, handling, management, disposition, or other activity causing or leading to contact of any kind whatsoever with PCBs or PCB-containing equipment, whether the Grantee, its successors or assigns have properly warned or failed to properly warn the individual(s) insured. The Grantee agrees to be responsible for any future remediation of PCBs or PCB-containing equipment found to be necessary on the Property.

7. NOTICE OF UXO CLEARANCE

Based upon a review of existing records and available information, none of the buildings and/or land proposed for transfer is known to contain unexploded ordnance (UXO). In the event that the Grantee, its successors, and assigns, should discover any ordnance on the Property, it shall not attempt to remove or destroy it, but shall immediately notify the local Police Department and the Army and competent Grantor, or Grantor-designated explosive ordnance personnel, will be dispatched promptly to dispose of such ordnance at no expense to the Grantee.

8. NOTICE OF HISTORIC PROPERTY AND PRESERVATION COVENANT

A. The Hospital Hill parcel is being transferred to the City of Navato for neighborhood commercial reuse. In consideration of the conveyance of the Hospital Hill parcel, located in Marin County, California, the Grantee hereby covenants on behalf of itself, its heirs, successors, and assigns at all times to the California State Historic Preservation Officer (SHPO) to preserve and maintain Building 515 in the Hospital Hill parcel in accordance with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service 1992), in order to preserve and enhance those qualities that make Building 515 eligible for inclusion in/or resulted in the inclusion of the property in the National Register of Historic Places. In addition, any design review guidelines established by a Preservation Commission with appropriate authority will be followed. If the Grantee desires to deviate from these maintenance standards, the Grantee will notify and consult with the SHPO in accordance with paragraphs **B**, **C**, and **D** of this covenant.

B. The Grantee will notify the SHPO in writing prior to undertaking any construction, alteration, remodeling, demolition, or other modification to structures or setting that would affect the integrity of appearance of Building 515. Such notice shall describe in reasonable detail the proposed undertaking and its expected effect on the integrity or appearance of Building 515 within Hospital Hill parcel.

C. Within 30 calendar days of the SHPO's receipt of notification provided by the Grantee pursuant to paragraph B of this covenant, the SHPO will respond to the Grantee in writing. If the SHPO fails to respond to the Grantee's written notice, as described in paragraph B, within 30 calendar days of the SHPO's receipt of the same, then the Grantee may proceed with the proposed undertaking without further consultation with the SHPO.

D. The Grantee must initiate and complete consultation with the SHPO before it can proceed with the proposed undertaking. If the response provided to the Grantee by the SHPO, pursuant to paragraph C of this covenant, requires consultation with the SHPO, then both parties will so consult in good faith to arrive at mutually-agreeable and appropriate measures that the Grantee will implement to mitigate any adverse effects associated with the proposed undertaking. If the parties are unable to arrive at such mutually-agreeable mitigation measures, then the Grantee shall, at a minimum, undertake recordation for the concerned property -- in accordance with the Secretary of Interior's standards for recordation and any applicable state standards for recordation, or in accordance with such other standards to which the parties may mutually agree -- prior to proceeding with the proposed undertaking. Pursuant to this covenant, any mitigation measures to which the Grantee and the SHPO mutually agree, or any recordation that may be required, shall be carried out solely at the expense of the Grantee.

E. The SHPO shall be permitted upon reasonable notice at a reasonable time to inspect Building 515 within the Hospital Hill parcel in order to ascertain its condition and to fulfill its responsibilities hereunder.

F. In the event of a violation of this covenant, and in addition to any remedy now or hereafter provided by law, the SHPO may, following reasonable notice to the Grantee, institute suit to enjoin said violation or to require the restoration of Building 515 within the Hospital Hill parcel. The successful party shall be entitled to recover all costs or expenses incurred in connection with such a suit, including all court costs and attorneys fees.

G. In the event that buildings within the Hospital Hill parcel are: (i) substantially destroyed by fire or other casualty, or (ii) is not totally destroyed by fire or other casualty, but damage thereto is so serious that restoration would be financially impractical in the reasonable judgment of the Owner and the SHPO, this covenant shall terminate on the date of such destruction or casualty. Upon such termination, the Owner shall deliver a duly executed and acknowledged notice of such termination to the, SHPO and record a duplicate original of said notice in the Marin County Deed Records. Such notice shall be conclusive evidence in favor of every person dealing with the historic buildings as to the facts set forth therein.

H. The Grantee/Transferee agrees that the SHPO may at his/her discretion, without prior notice to the Grantee/Transferee, convey and assign all or part of its rights and responsibilities contained herein to a third party.

I. This covenant is binding on the Grantee, its heirs, successors, and assigns in perpetuity, unless explicitly waived by the SHPO. Restrictions, stipulations, and covenants contained herein shall be inserted by the Grantee verbatim or by express reference in any deed or other legal instrument by which it divests itself of either the fee simple title or any other lesser estate in the Transferred Premises or any part thereof.

J. The failure of the SHPO to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or the use of such right or remedy at any other time.

K. The covenant shall be a binding servitude upon the Hospital Hill parcel and shall be deemed to run with the land. Execution of this covenant shall constitute conclusive evidence that the Grantee agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

ENCLOSURE 7
REGULATORY/PUBLIC COMMENTS AND INSTALLATION POSITION ON UNRESOLVED
COMMENTS

**Responses to Comments on the
POL Hill and Hospital Hill EBS and FOST, Hamilton Army Airfield
(January 2001)**

No.	Comments	Responses
DTSC Comments June 26, 2001		
1.	EBS Section 1.1, <i>Background</i> , indicates "The Army has proposed no further action, allowing for natural attenuation of residual contamination at POL Hill." The text should be revised to clarify that natural attenuation is not the same as "no further action." Monitoring would also be needed in order to determine whether natural attenuation is successful.	The EBS has been revised to indicate the Army is in the process of preparing a closure report specifically for the tank farm area of POL Hill. Based on site conditions, the closure report will recommend no further action for the tank farm area. The EBS has also been revised to indicate the Army is in the process of preparing a Corrective Action Plan for the AST 2 area of POL Hill. Based on site conditions and available information, the Corrective Action plan will recommend natural attenuation and monitoring as the selected remedy for the AST 2 area.
2.	In January 2000, the Army submitted the Closure Report for POL Hill. On June 5, 2000, the RWQCB commented on the Closure Report, indicating quarterly sampling of the monitoring wells was needed to confirm whether natural attenuation is taking place. On February 15, 2001, the Army replied that no further monitoring was needed to determine whether natural attenuation was taking place, but that annual monitoring of the wells near AST-2 would be conducted. However, samples have not been collected from the wells since September 1998, suggesting that up-to-date information on the quality of the groundwater is lacking.	The Army and the RWQCB agree that the current information available is sufficient to demonstrate that monitored natural attenuation is a viable option at this site. The Army and the RWQCB have agreed on the monitoring requirements necessary to support this effort. No additional data collection beyond the agreed upon monitoring is anticipated for this site. The required monitoring will be documented in the Corrective Action Plan.
3.	Closure Report Figure 5-1 provides the results of monitoring for methane. The highest concentration of methane detected is 2.8 mg/L. This concentration could present a hazard in the event methane gas were to leave the groundwater and enter a structure. It is recommended gas control and monitoring systems be included in any structures on the site or adjacent properties that might be affected. Soil gas monitoring, including using a combustible gas indicator (CGI), should be conducted. California Code of Regulations, Title 8,	This highest concentration represents an extremely small total mass of methane. The concentrations drop off by orders of magnitude within 100 feet of this sample location and the methane is present in groundwater, which at this site is only located in the bedrock fractures. The Army believes that there is not sufficient total mass of methane to make the suggested scenario plausible. As the petroleum at this site degrades the methane concentrations will decline making this scenario even

No.	Comments	Responses
	<p>Section 5416, <i>Flammable Vapors</i>, provides for ventilation of buildings and other enclosed spaces so that concentrations of flammable vapors do not exceed 25% of the lower explosive limit (LEL). Similarly, DTSC's standard health and safety protocol requires its employees to withdraw from areas containing concentrations greater than 10% of the LEL. It is recommended remedial action be implemented whenever the concentration of flammable vapors exceeds 10% of the LEL.</p>	<p>more unlikely in the future.</p> <p>DTSC's health and safety protocols are relevant to employee health and safety on the job. These standards are not promulgated as cleanup levels or thresholds for the initiation of remedial action.</p> <p>CCR Title 8 applies to proper ventilation of buildings; requirements for monitoring are not provided in this section. The groundwater treatment plant is the only existing building at POL Hill. This building is ventilated. It is assumed that any potential future buildings that may be constructed at POL Hill by future landowners would require building permits and would also be required to meet the ventilation provisions of this title.</p>
4.	<p>Knowledge of the geology and extent of contamination (both lateral and vertical) are key elements in determining whether natural attenuation is taking place. Information on these elements is incomplete.</p>	<p>The Army and the RWQCB agree that the current information available is sufficient to demonstrate that monitored natural attenuation is a viable option at this site. The Army and the RWQCB have agreed on the monitoring requirements necessary to support this effort. No additional data collection beyond the agreed upon monitoring is anticipated for this site. The required monitoring will be documented in the Corrective Action Plan.</p>
5.	<p>EBS Section 2.3, <i>Aerial Photographs</i>, indicates aerial photographs were not reviewed as part of the investigation, since aerial photographs were reviewed as part of the 1994 CERFA report. During a March 28, 2001 site visit, it appeared the recent housing construction activities may have encroached on the POL Hill property. Review of aerial photographs and comparison of the residential area land survey results to the POL Hill property boundaries is recommended.</p>	<p>The property boundaries were surveyed before the new housing construction activities began. The housing and construction activities adjacent to POL Hill do not encroach onto POL Hill property.</p>
6.	<p>EBS Figure 3-2, <i>Site Map: Hospital Hill</i>, includes a dashed line showing the Hospital Hill Parcel Boundary. This boundary line does not coincide with the <i>Boundary Plot, Hospital Parcel</i>, May 1996, contained in</p>	<p>The dashed line representing the Hospital Hill parcel boundary in Figure 3-2 has been removed. A more accurate</p>

No.	Comments	Responses
	FOST Appendix A. Please revise EBS Figure 3-2 to include the survey information contained in FOST Appendix A.	line representing the approximate boundary of Hospital Hill has been inserted. The legal description and accompanying figure depicting the actual parcel boundary is included in the FOST.
7.	EBS Table 3-2, <i>List of Past and Present Structures at Hospital Hill</i> , lists buildings at Hospital Hill, their historical uses, and their current status. During a site visit on March 28, 2001, it was noted Building 525 was used for x-rays, based on the sign above the threshold to the northern room in Building 525. As previously discussed, the results of the investigation of this area for releases associated with this activity should be provided. It should also be noted Building 525 was not locked, and the doors to Buildings 512 and 520 were open. In addition, access to Building 515 could be obtained through an open window adjacent to an outdoor stairway on the south side of the building. As previously discussed, these buildings should be secured and monitored, as access presents a danger due to asbestos and other physical hazards. EBS Table 3-2 should be also revised to incorporate the above information.	Building 525 was not used for x-ray operations as assumed during DTSC's site visit. The signs located above the doorway thresholds in each room of this building are labeled as follows: a – "alpha", e- "echo", c- "charlie" and x- "x-ray". These are phonetic alphabet names and are not related to activities conducted in the rooms. It should be further noted that x-ray operations are not usually a radiological concern since radiological source material is not normally used. No change to the document is necessary.
8.	EBS Figure 3-3, <i>Site Map - POL Hill</i> , shows the property lines not closing, and not coinciding with the fence. This boundary line also does not coincide with the POL Hill property bounds shown in <i>Ammo Hill Parcel and 800-B Parcel Boundary Plot</i> , September 21, 1999, contained in FOST Appendix A. Please revise EBS Figure 3-3 to include the survey information included in FOST Appendix A. The property lines need to close, and the relationship of the property boundaries to the site fence should be clarified. The relationship of POL Hill to adjacent property features (roads, buildings, homes, etc), and EBS Figure 3-4, <i>POL Hill Tank Farm Area</i> , should also be provided in EBS Figure 3-3.	<p>For the purposes of this EBS, the POL Hill parcel is defined to include land that is within the buffer zone of Landfill 26. However, the portion of land within the buffer zone will not be transferred as a part of POL Hill. The portion of POL Hill within the buffer zone will be retained by the Army until it can be transferred with the landfill at a later date. The legal boundaries for the impending transfer of POL Hill have been revised to exclude the land within the buffer zone. EBS Figure 3-3 has been revised to show both the approximate area of POL Hill included and evaluated in this EBS as well as the approximate boundaries of the portion of POL Hill proposed for transfer in the FOST.</p> <p>Also, EBS Figure 3-3, <i>Site Map – POL Hill</i> has been revised to close the boundary of POL Hill. However, please note that the fence line does not represent and has no correlation with the property boundary.</p>

No.	Comments	Responses
9.	FOST Section 2, <i>Property Description</i> , indicates Buildings 737 and 738 were historically used as maintenance buildings. The nature of the maintenance, including the types of materials used in the buildings, the potential for releases, and other relevant information should be included in the FOST.	<p>This information was available in the combined POL Hill and Hospital Hill FOST. The FOST followed the outline specified in guidance documents for preparing a FOST.</p> <p>The January 2001 FOST has subsequently been revised to separate POL/Hospital Hill parcels. The requested information will be presented in the FOST for POL Hill in accordance with guidance documents.</p>
10.	FOST Section 2, <i>Property Description</i> , indicates the Army proposes to transfer the Landfill 26 Treatment Plant to the City of Novato. It is recommended that the Landfill 26 Treatment Plant, related facilities, and adjacent property remain with the Army, and use restricted to the purpose for which it is intended.	The portion of POL Hill that overlaps the Landfill 26 buffer zone is included in the EBS but will not be included in the transfer of POL Hill. The groundwater treatment plant is located entirely within the buffer zone. Therefore, the groundwater treatment plant will be transferred at a later date along with Landfill 26. The POL Hill FOST has been separated from the Hospital Hill FOST. This comment will be included by the Army into the final FOST for POL Hill.
11.	FOST Section 3.3.1, <i>Petroleum and Petroleum Products, Underground and Above-Ground Storage Tanks, POL Hill</i> , indicates TPH-contaminated soils up to 100 ppm were removed to the extent possible (down to bedrock) from the area of the former AST 2, and near former Buildings 736, 737, and 738. Comparison of this information to the monitoring results presented in FOST Exhibit B, Figure 2, <i>Monitoring Well Locations and TPH Concentrations in Groundwater</i> , January 1999, and EBS Figure 3-3 indicates no monitoring is taking place near former Buildings 736, 737, and 738. There is also no monitoring to the south of AST 2. A full understanding of the condition of the groundwater or soils can not be ascertained from the information provided.	There is no current monitoring in the area of Buildings 736, 737 and 738 since previous groundwater samples indicated no impacts. The Army and the RWQCB agree that the current information available for the AST-2 area is sufficient to demonstrate that monitored natural attenuation is a viable option at this site. The Army and the RWQCB have agreed on the monitoring requirements necessary to support this effort. No additional data collection beyond the agreed upon monitoring is anticipated for this site. The POL Hill FOST has been separated from the Hospital Hill FOST. This comment will be included by the Army into the final FOST for POL Hill.
12.	FOST Section 3.4, <i>Polychlorinated Biphenyls (PCB) Equipment</i> , indicates Building 737 contained forty 55-gallon drums labeled as containing hydraulic oil, waste oil, waste solvent, and other unlabeled drums. There were also four 55-gallon drums labeled as containing PCBs, and three transformers stored in metal or plastic containers. This information suggests the site was used for storage of hazardous	<p>As stated in the FOST and EBS, the proper storage of hazardous materials was identified at this location. The materials were stored within the bermed area of the building. There are no reported spills or releases to the environment.</p> <p>Also, the July 3, 1998 letter from DTSC stated that only certain</p>

No.	Comments	Responses
	wastes. Results of investigation for releases of these types of wastes should be incorporated into the FOST, and additional investigation conducted if necessary.	petroleum issues were a concern at POL Hill. The POL Hill FOST has been separated from the Hospital Hill FOST. This comment will be included by the Army into the final FOST for POL Hill.
13.	FOST Section 4.1, <i>Remediation: Hospital Hill</i> , refers to the RWQCB's August 18, 2000 letter as stating all remediation activities on the property have been taken. This overstates the content of the August 18 letter, which only pertains to the removal of the USTs and associated contamination.	<p>The text has been revised to indicate that there were no CERCLA issues at the site and that the petroleum issues at the site that required remediation have been appropriately addressed. Per the DTSC July 3, 1998 letter regarding Hospital Hill – "...the only contamination found at this site was related to a leaking underground fuel tank." The letter goes on to state that "As petroleum hydrocarbons are not regulated as hazardous substances in the California Health and Safety Code, Division 20, Chapter 6.8, additional evaluation of this site should be conducted by the San Francisco Bay Regional Water Quality Control Board (SFRWQCB)." Since the only contamination found on the site was petroleum hydrocarbons, the RWQCB closure of petroleum issues indicates that all remedial actions have been taken.</p> <p>The Hospital Hill FOST has been separated from the POL Hill FOST. These comments will be included by the Army into the final FOST for Hospital Hill.</p>
14.	FOST Section 4.2, <i>Remediation: POL Hill</i> , indicates the chosen remedy is monitored natural attenuation (MNA). The data discussed in FOST Sections 3.3.1 and 4.2, and presented in FOST Exhibit B, Figure 2, <i>Monitoring Well Locations and TPH Concentrations in Groundwater</i> , January 1999, suggests the extent of contamination is unknown, and that the monitoring well network is not adequate to track the movement or occurrence of contamination. It is necessary to have a good understanding of this information in order to determine the viability and subsequent effectiveness of MNA. It would also be helpful if the report could be revised to consistently indicate the concentrations of TPH encountered in the groundwater. The text	<p>The Army and the RWQCB agree that the existing monitoring wells are adequate and the current information available is sufficient to demonstrate that monitored natural attenuation is a viable option at this site. The Army and the RWQCB have agreed on the monitoring requirements necessary to support this effort. No additional data collection beyond the agreed upon monitoring is anticipated for this site. The required monitoring will be documented in the Corrective Action Plan.</p> <p>Figure 2 is correct in reporting concentrations in micrograms per liter (ug/L). The text will be corrected to report</p>

No.	Comments	Responses
	<p>indicates concentrations up to 9,700 ppm (parts per million) are present, while Figure 2 indicates concentrations up to 9,700 ug/L (parts per billion) are present. Discussion should be provided on the extent of contamination, its fate and transport, action levels, points of compliance, and contingency plans in the event MNA is found to be ineffective in order to support a MNA approach to site remediation.</p>	<p>micrograms per liter (ppb) and not ppm. The POL Hill FOST has been separated from the Hospital Hill FOST. This comment will be included by the Army into the final FOST for POL Hill.</p> <p>Discussion on TPH extent of contamination, fate and transport, action levels, points of compliance, and a contingency plan is not within the scope of a FOST. Only remedies that will be effective will be selected; therefore, there is no need for contingency plans. The items mentioned above will be addressed in the Corrective Action Plan for AST 2 currently being prepared by the Army.</p>
15.	<p>FOST Enclosure 2, <i>Description of Property</i>, indicates Hospital Hill is classified as CERFA Category 2. The PCB data in Enclosure 4 suggests there were PCB spills, which would classify Hospital Hill as CERFA Category 3, 4, 5, 6, or 7, depending on the severity and extent of contamination.</p>	<p>As stated in the PCB Transformer Closure Report and summarized in Enclosure 6 to the FOST:</p> <p>“Any PCB contamination spills related to such equipment [at Hospital Hill] has been properly remediated prior to conveyance (i.e., transformer pads were cleaned but did not require disposal) and no surface remediation/excavation was necessary. The PCB equipment does not currently pose a threat to human health or the environment.”</p> <p>The recorded spills of PCBs at Hospital Hill were totally contained within the building and have been fully remediated. The spills did not result in releases to the environment. The Category 2 designation is appropriate at Hospital Hill since the only issues at the site are petroleum issues.</p> <p>The Hospital Hill FOST has been separated from the POL Hill FOST. These comments will be included by the Army into the final FOST for Hospital Hill.</p>

No.	Comments	Responses
16.	<p>FOST Enclosure 2, <i>Description of Property</i>, indicates POL Hill is classified as CERFA Category 2. As discussed above, FOST Section 3.4, <i>Polychlorinated Biphenyls (PCB) Equipment</i>, indicates Building 737 contained forty 55-gallon drums labeled as containing hydraulic oil, waste oil, waste solvent, and other unlabeled drums. There were also four 55-gallon drums labeled as containing PCBs, and three transformers stored in metal or plastic containers. This information suggests the site was used for storage of hazardous wastes, resulting in POL Hill being classified as CERFA Category 3, 4, 5, 6, or 7, depending on the severity and extent of contamination, if any.</p>	<p>As indicated in the FOST and EBS, the proper storage of hazardous materials was identified at this location. There were no reports of any PCB releases because the spills occurred within the building and did not result in a release to the environment; therefore it is not appropriate to classify POL Hill as a category 3, 4, 5, 6, or 7 because these categories require a release to the environment.</p> <p>Also, the July 3, 1998 letter from DTSC did not identify any releases other than petroleum, which is not defined as a hazardous substance. The POL Hill FOST has been separated from the Hospital Hill FOST. This comment will be included by the Army into the final FOST for POL Hill.</p>
17.	<p>FOST Enclosure 6, Section 9, <i>Notice of UXO Clearance</i>, indicates a file review was conducted to look for ordnance issues. The Army is currently conducting an Ordnance Archive Search Report for the entire installation, as outlined in DTSC's March 2, 2001 letter. The FOST and EBS should be revised to include this information.</p>	<p>The Army is not currently conducting an Ordnance Archive Search Report (ASR) for the entire installation as outlined in a DTSC letter to the FUDS program. The Army has conducted an ASR for BRAC property in response to the letter from a concerned citizen (Archives Search Report Findings Hamilton Army Airfield, September 2001). The ASR found no UXO issues at POL Hill or Hospital Hill. This is consistent with information that has already been reported.</p> <p>The Hospital Hill FOST has been separated from the POL Hill FOST. These comments will be included by the Army into the final FOST for Hospital Hill.</p>
18.	<p>FOST Enclosure 8, <i>POL Hill Groundwater Covenant</i>, contains the agreement to be executed between the Army, the RWQCB, and the DTSC.</p> <ol style="list-style-type: none"> Article I, Statement of Facts, Paragraph 2 of Section 1.02, makes reference to a remediation plan to implement MNA and an O&M plan which have not been provided to or 	<ol style="list-style-type: none"> The Army is working with the RWQCB to implement a Monitored Natural Attenuation (MNA) remedy for POL Hill. The current plan was submitted to the RWQCB for review and concurrence. The first set of samples were collected in September 2001. On completion in 2002, the

No.	Comments	Responses
	<p>approved by the RWQCB or DTSC. These are key components of the covenant, which would need to be prepared and approved prior to concurrence with the covenant.</p> <p>2. Article I, Statement of Facts, Section 1.03: The first sentence of this section is unclear.</p> <p>3. Article IV, Restrictions, Section 4.01(b): Construction dewatering of groundwater should be prohibited.</p> <p>4. Article IV, Restrictions, Section 4.01(f and g): These provisions should be extended to a distance of 1000 feet from Landfill 26.</p>	<p>Army and RWQCB will determine what additional monitoring if any is required.</p> <p>2. The first sentence has been clarified by correcting a typo. The word “were” was changed to “where”.</p> <p>3. Section 1.02 has been modified to indicate construction dewatering would have to be coordinated with the appropriate agencies. However, the Army does not believe construction dewatering should be prohibited; therefore, no change to Section 4.01 is necessary.</p> <p>4. The provisions stated in Article IV are explicit to the landfill buffer zone. They are derived from the Closure Post Closure Monitoring Plan for the landfill and are not related to concerns at POL Hill. Because the property to be transferred for POL Hill now excludes the buffer zone for Landfill 26, restrictions “f” and “g” in Section 4.01 have been removed from the FOST.</p> <p>The POL Hill FOST has been separated from the Hospital Hill FOST. These comments will be included by the Army into the final FOST for POL Hill.</p>

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Revised: July 8, 1996
Date: June 3, 1996
File: 8-410-040

DESCRIPTION
HAMILTON ARMY AIRFIELD HOSPITAL

Commencing at a standard street monument marking the center of 5th Street and Escolta Avenue, as shown on the map of Hamilton Field recorded December 18, 1995 in Book 21 of Maps, Page 45, Marin County Records;

Thence South 30°15'43" East 283.73 feet;

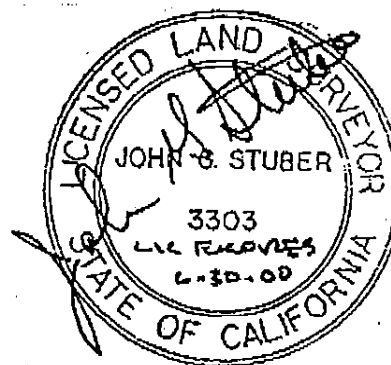
Thence South 59°44'17" West 24.00 feet to the westerly line of Escolta Avenue and the TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

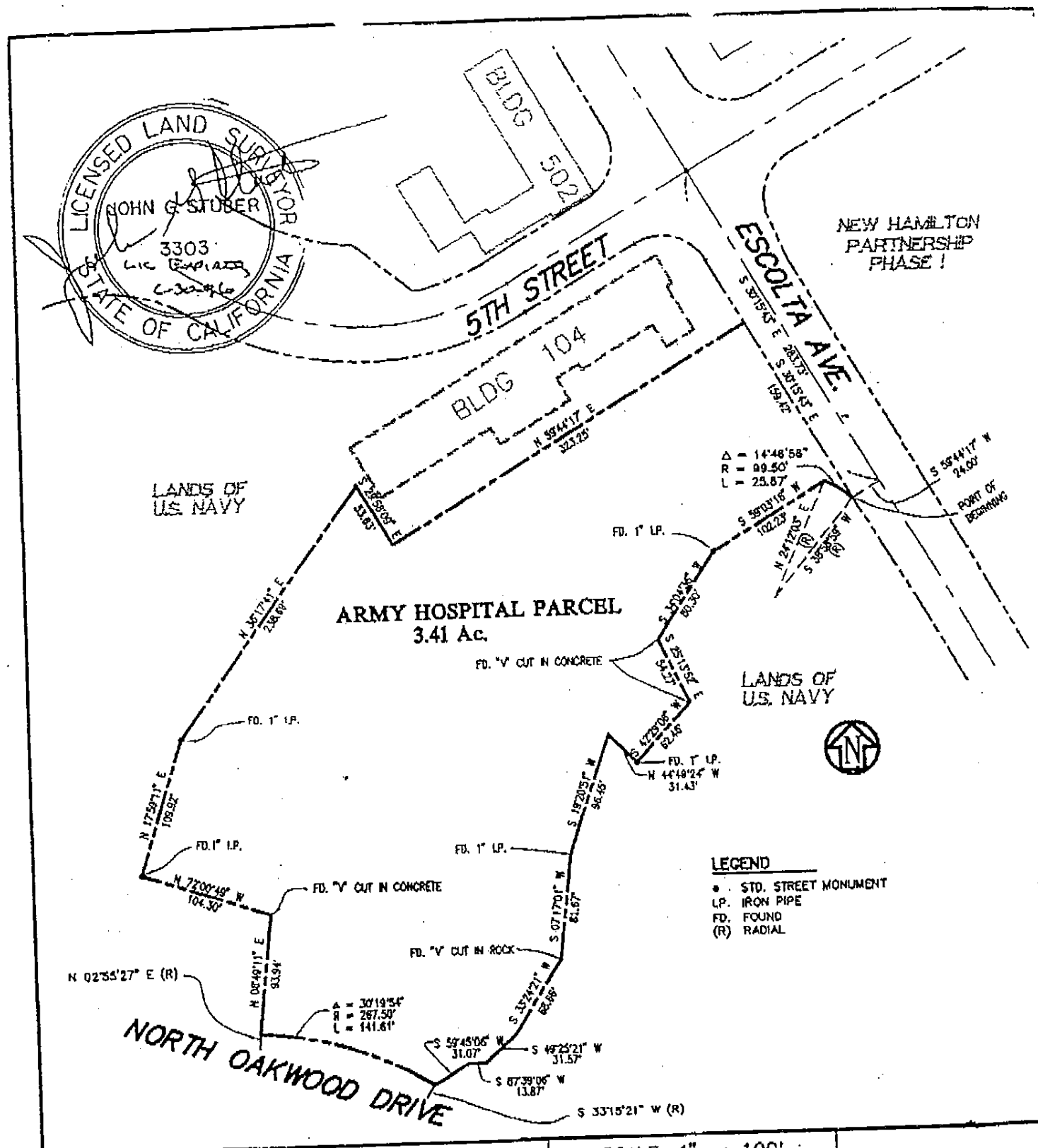
1. Thence leaving said westerly line of Escolta Avenue in a northwesterly direction along the general easterly line of the property transferred to the Department of the Navy, from the Department of the Air Force by memorandums for the Secretary of the Navy, dated January 25, 1975 and May 5, 1976, along a curve to the left, whose radius point bears South 38°58'59" West 99.50 feet, through a central angle of 14°46'56", an arc length of 25.67 feet;
2. Thence along said line of the Department of the Navy, South 59°03'16" West 102.23 feet to a 1 inch iron pipe;
3. Thence South 34°04'36" West 80.30 feet to a "V" cut in concrete;
4. Thence South 25°13'52" East 54.27 feet to a "V" cut in concrete;
5. Thence South 42°29'08" West 62.46 feet to a 1 inch iron pipe;
6. Thence North 44°49'24" West 31.43 feet;
7. Thence South 19°20'51" West 96.45 feet to a 1 inch iron pipe;
8. Thence South 07°17'01" West 81.67 feet to a "V" cut in the top of rock;
9. Thence South 33°24'21" West 68.66 feet;
10. Thence South 49°25'21" West 31.57 feet;
11. Thence South 87°39'06" West 13.87 feet;
12. Thence South 59°45'06" West 31.07 feet;

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13. Thence in a northwesterly direction on a curve to the left whose radius point bears South 33°15'21" West 267.50 feet, through a central angle of 30°19'54", an arc distance of 141.61 feet;
14. Thence North 06°49'11" East 93.94 feet to a "V" cut in concrete;
15. Thence North 72°00'49" West 104.30 feet to a 1 inch iron pipe;
16. Thence North 17°59'11" East 109.92 feet to a 1 inch iron pipe;
17. Thence North 36°17'41" East 238.69 feet;
18. Thence leaving said general easterly line of said Navy property, South 29°58'09" East 53.63 feet;
19. Thence North 59°44'17" East 323.25 feet to the aforesaid westerly line of Escolta Avenue;
20. Thence along said westerly line of Escolta Avenue South 30°15'43" East 159.42 feet to the POINT OF BEGINNING.

Containing 3.41 acres.





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$$[\text{St}]^2$$

CSW/STUBER-STROEH
ENGINEERING GROUP, INC.
CONSULTING ENGINEERS

790 DeLong Ave., Novato, CA. 94945-3246
(415) 892-4763 FAX (415) 892-4502

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SCALE: 1" = 100'
MAY 1996

JOB# 8.410.04C

HAMILTON FIELD
BOUNDARY PLOT
HOSPITAL PARCEL

CITY OF NOVATO MARIN COUNTY CALIFORNIA

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